

EX PARTE OR LATE FILED

HALPRIN TEMPLE

1317 F STREET, N.W., 4TH FLOOR
WASHINGTON, D.C. 20004
(202) 371-9100 TELEFAX (202) 371-1497

ORIGINAL

ALBERT HALPRIN
RILEY K. TEMPLE
JOEL BERNSTEIN

JANICE OBUCHOWSKI
OF COUNSEL

October 8, 2004

Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

RECEIVED ORIGINAL

OCT - 8 2004

Federal Communications Commission
Office of Secretary

Re: *Progeny LMS, LLC Petition for Rulemaking to Amend Part 90 of the Commission's Rules Governing Location and Monitoring Service To Provide Greater Flexibility, RM-10403.*

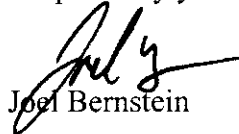
Oral ExParte Presentation

Dear Ms. Dortch:

On Thursday, October 7, 2004, representatives of Progeny LMS, LLC ("Progeny") met with Peter Tenhula, Scott Delacourt, and John Branscome of the Wireless Telecommunications Bureau to discuss issues relevant to the above-captioned petition. Progeny was represented by Janice Obuchowski, Albert Halprin, Mike McMains and Nick Frenzel. The meeting was held to discuss and clarify questions relating to Location and Monitoring Service ("LMS") in the 902-928 megahertz band. Progeny has proposed rule changes affecting LMS, which shares the band with other licensees and users of unlicensed devices pursuant to Part 15 of the Commission's rules.

In accordance with Section 1.1206(b) of the Commission's Rules, please accept this original and one copy for submission.

Respectfully yours,


Joel Bernstein

cc: Peter Tenhula
Scott Delacourt
John Branscome

No. of Copies rec'd 0+1
List ABCDE